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# TOWN OF JEROME

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## MINUTES

### SPECIAL MEETING OF THE JEROME TOWN COUNCIL JEROME CIVIC CENTER - 600 CLARK STREET - COUNCIL CHAMBERS TUESDAY, JANUARY 22, 2013 AT 4:00 P.M.

ITEM #1:	<p><b>CALL TO ORDER/ROLL CALL</b></p> <p>Mayor/Chairperson to call meeting to order. Town Clerk to call and record the roll.</p> <p><i>Mayor Check called the meeting to order at 4:06 p.m.</i></p> <p><i>Town Manager/Clerk Candace Gallagher called roll. Present were Mayor Nikki Check, Vice Mayor Lew Currier and Councilmembers Anne Bassett and Randall Hunt. Councilmember Bill Phinney had an excused absence.</i></p> <p><i>Other staff in attendance at roll call included Deputy Town Clerk Rosemarie Shemaitis and Zoning Administrator Carmen Ogden.</i></p>
ITEM #2:	<p><b>GRANTING OF EASEMENT – TOWN OF CLARKDALE</b></p> <p>The Mayor and Council will review and may approve the granting of an easement to the Town of Clarkdale for water lines to be installed on property in Clarkdale owned by the Town of Jerome, near the cemetery. Prior to taking action, they may enter into executive session, pursuant to A.R.S. §38-431.03.A.3 and A.R.S. §38-431.03.A.7, for consultation with the Town Attorney and Town Manager. No action will be taken while in Executive Session.</p> <p><i>Ms. Gallagher explained that Town Attorney Bill Sims had reviewed this agreement and requested one change, which Clarkdale has agreed to. She read the revised language and clarified it for the Vice Mayor, that we will be striking "... provided that such property is promptly restored to as close to original condition, as reasonably possible as existed prior to construction and/or installation . . ." and replacing it with "... provided that such property is promptly restored to its condition as it existed prior to construction and/or installation . . ."</i></p> <p><i>Councilmember Bassett referenced Exhibit A of the agreement, and noted that the sizes of the water line taps are not specified, and she thinks that they should be of sufficient size to become trunk lines.</i></p> <p><i>Gayle Mabery, Clarkdale's Town Manager, was in attendance, and explained that they did not specify a size because they are working with Jim Binick, who serves as Town Engineer for both Jerome and Clarkdale. 5/8 inch is the standard residential tap, which is all they were calling for in the specs, but she said that they would be willing to look at other sizes if needed. Ms. Mabery said that that it is hard to determine an appropriate size when they don't know how it will be used in the future. She said that if a development plan came along in the future that necessitated something larger, it</i></p>

	<p>could be dealt with at that time. She clarified that the main line will be 12 inches.</p> <p>Mayor Check commented that she appreciates the credit extended for the two 5/8-inch water hookup fees, and asked if there would be an issue if they were to specify a larger tap. Ms. Mabery responded that she does not think that there would be an issue, but she would want to talk to the engineers to be sure. She added that she feels that a 4-inch line would be overkill for that area, but increasing the size to a 1- or 2-inch tap may be okay.</p> <p>Ms. Bassett said that she, too, is grateful for Jerome's receiving something in return for the easement, but she would like Clarkdale to give us more than five years before the expiration of the credit.</p> <p>Vice Mayor Currier clarified that the area is zoned for residential use, and he can live with five years because the contract states that it can be renegotiated. Councilmember Bassett opined that she would be more comfortable with 10 years. Councilmember Hunt agreed that five years is not long enough, especially considering the way government works.</p> <p>Vice Mayor Currier asked Ms. Mabery if it would be a problem to change that period to 10 years. She replied that, if the Jerome Council votes that they would prefer 10 years, then she will take that back to her Council. Ms. Mabery clarified that Clarkdale's Council has not yet approved the contract, and added that, even though they have another option regarding the water line (utilizing adjacent property), they would prefer to work with Jerome, and so would be willing to consider any of our requests.</p> <p>Mayor Check said that they had discussed other potential uses for the property, so she would prefer 1 to 1-1/2 inch lines. Ms. Mabery said that a 1-inch line is a common size. It was generally agreed by Council that a 1-inch line would be requested.</p> <p>Councilmember Hunt asked who would be determining where the taps go, and Ms. Mabery said that this will be determined by Jerome's Town Engineer.</p> <p>The Vice Mayor and Mr. Hunt each pointed out minor typos that they suggested should be corrected on the contract.</p> <p>Councilmember Hunt also questioned provisions regarding attorney's fees – that is mentioned several times in the agreement and sounds conflicting. Vice Mayor explained how they are related and that they are standard language.</p> <p><b>Motion:</b> Vice Mayor Currier made a motion to <b>approve the agreement with the adjustments as discussed (the language change regarding restoration of the property, extending the credit for 10 years, specifying 1-inch lines, and corrected typos as noted)</b>. It was seconded by Mayor Check and <b>approved by all</b>.</p>
4:22 pm	<p><b>Motion:</b> Mayor Check made a motion to <b>go into executive session</b>. It was seconded by Councilmember Bassett and <b>approved by all</b>.</p>
ITEM #3:	<p><b>"VACATION RENTALS"</b></p> <p>The Mayor and Council may go into Executive Session, pursuant to A.R.S. §38-431.03.A.3 and A.R.S. §38-431.03.A.4 for the purpose of consultation with the Town Attorney regarding the use of property commonly known as "vacation rentals." No action will be taken while in Executive Session.</p>
6:02 pm	<p><b>Council reconvened in open session</b></p>

	<p><i>Councilmember Bassett inquired about how much Council can say at this time regarding their discussions in executive session.</i></p> <p><i>Ms. Gallagher said that we can say that our next closed session meeting on the topic will be on January 31 at 4:00 p.m. It was noted that something could be presented to the public at the February meeting or at a special meeting.</i></p>
<b>ITEM #4:</b>	<p><b>ADJOURNMENT</b></p> <p><i>Upon motion by Mayor Check, seconded by Vice Mayor Currier and unanimously approved, the meeting was adjourned at 6:03 p.m.</i></p>

*Edited by Town Manager/Clerk Candace Gallagher from minutes taken and transcribed by Deputy Town Clerk Rosemarie Shemaitis.*

APPROVE:

ATTEST:

\_\_\_\_\_  
Nikki Check, Mayor

Candace B. Gallagher, CMC, Town Manager/Clerk

Date: \_\_\_\_\_